



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

CRS  
Docket No: 3539-99  
2 December 1999

[REDACTED]

Dear [REDACTED]:

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 1 December 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by the Military Award Branch, Headquarters Marine Corps, dated 21 July 1999, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records.

Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER  
Executive Director

Enclosure



DEPARTMENT OF THE NAVY  
HEADQUARTERS UNITED STATES MARINE CORPS  
3280 RUSSELL ROAD  
QUANTICO, VIRGINIA 22134-5103

IN REPLY REFER TO:

1650  
MMA-3

21 1966

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF  
NAVAL RECORDS (BCNR)

Subj: REQUEST FOR ADVISORY OPINION(S) IN THE CASE OF CORPORAL  
[REDACTED]

1. After careful review and consideration of Corporal [REDACTED] request, a determination has been made that he is not entitled to the Combat Action Ribbon for his service in Vietnam.
2. To be entitled to the Combat Action Ribbon, it is necessary to have actively participated in a bona fide ground or surface combat fire fight. Personnel subjected to sustained incoming mortar/artillery attacks must have participated in retaliatory or offensive action.
3. There is no evidence, either by assignment or Military Occupational Specialty, that he was actively engaged in ground combat action, which included retaliatory or offensive actions.

[REDACTED]  
Acting Head, Military Award Branch  
Personnel Management Division  
by direction of  
the Commandant of the Marine Corps